

# WOODBURN PLANNING COMMISSION MEETING MINUTES

## APRIL 8, 2010

**CONVENED:** The Planning Commission met in a regular session, followed by a workshop, at 7:00 p.m. in the City Hall Council Chambers with Chairperson Bandelow presiding.

### **ROLL CALL:**

<b>Chairperson</b>	<b>Bandelow</b>	<b>Present</b>
<b>Commissioner</b>	<b>Gregorieff</b>	<b>Present</b>
<b>Commissioner</b>	<b>Hutchison</b>	<b>Present</b>
<b>Commissioner</b>	<b>Jennings</b>	<b>Present</b>
<b>Commissioner</b>	<b>Kenagy</b>	<b>Absent (pre-arranged)</b>

### **Staff Present**

Jim Hendryx, Director of Economic and Development Services  
Don Dolenc, Associate Planner  
Jon Stuart, Assistant City Attorney  
Vicki Musser, Recording Secretary

### **Minutes**

- A. Woodburn Planning Commission Meeting Minutes of December 10, 2009
- B. Woodburn Planning Commission Minutes of December 17, 2009

Commissioner Jennings moved to accept the minutes as written, and Commissioner Hutchison seconded the motion, which was carried unanimously.

### **Business From The Audience**

There was none.

### **Communication**

There was none.

### **Hearings**

There were no hearings.

### **Workshop**

Economic & Development Services Director Jim Hendryx began by summing up the work of The Sign Focus Group over the past year. Teri Sunderland and Mike Sumner, representatives of the Focus Group, attended the Planning Commission workshop in support of recommended sign ordinance changes. The City Council appointed the Sign

Focus Group approximately a year ago to start reviewing sign regulations. The current sign standards were adopted in 2005. There have been many complaints from the public that the standards were difficult to understand, and that there were dozens of different standards for the Commercial Zone in regards to height, size, location, text and type of signs. This was the number one issue when Hendryx began work as director of Economic and Development Services, 14 months ago. The standards have proven difficult to understand even for administration. Often the different sections of the sign ordinance appear to conflict with each other. There were no incentives to improve signs in the community. Therefore, the City Council appointed the Sign Focus Group to study the ordinances and signage and give their recommendations for change. The Sign Focus Group is comprised of Chairperson Bandelow, Jake Jacobsen, Dan Dinges, Mike Sumner and Teri Sunderland, who appeared tonight, as well as City Council member Pete McCallum, Phil Hand, Kelly Long, Elizabeth Vegas and Cliff Zauner. As a result of this year-long process, the group has submitted various recommendations to make sign standards easier to understand and comply with. Their proposal simplifies the height standards, combines signage at larger sites, and simplifies text language. Don Dolenc, Associate Planner, went through the Sign Ordinance to make charts and text more understandable, and a draft motion for a revised text was distributed to the Planning Commission. The text simplifies the land use processes for signs. There was discussion surrounding electronic reader boards, and the recommendation was to allow larger reader boards, and to allow them in residential zones for non-residential uses, such as outside of churches and schools.

Non-conforming sign standards at present require that if one sign on a property is changed, all the signs must be brought into conformity. Also, if a building over 1,000 square feet is modified, the business owner is required to bring all signs into compliance. With the present ordinance, even if a building is less than a 1,000 square feet, all non-conforming signs must be changed. The Sign Focus Group felt that the ordinance as it stands would be a disincentive for new businesses investing in the community, and made a recommendation that with minor modifications of up to 2,000 square feet under a Type II, non-conforming signs could stay as they were.

Hendryx noted that enforcement of sign standards is a difficult and ongoing issue, which has been discussed a number of times in previous meetings. The feeling expressed by the Planning Commission is that often there is little enforcement of various Woodburn ordinances beyond multiple warnings by Code Enforcement. Commissioner Hutchison asked Jon Stuart, Assistant City Attorney, for further information about the process of enforcement.

Jim went through a number of Power Point slides which was originally shown to the Sign Focus Group about the value of signage. Signs have been found to add 35% to business recognition. Signtronix, a traffic survey in California, found that signs attract and draw in new customers, can brand a business, and play a big role in generating impulse buying, which is critical to a business' success.

There is an art and science to successful signage, and it can enhance the business community. Jim went through a series of slides to bring the Commission up on the sign standards today, versus the Sign Focus Group's recommendations, information also contained in the texts distributed to the Commission.

Many people in the Woodburn community have expressed feelings that the sign standards are too restrictive. Don and Jim often offer to go out and give sign options to various businesses who request assistance.

Electronic reader boards were recommended by the Sign Focus Group to be allowed in combination with a sign (example: The Gap sign at the Outlet Mall). Terri Sunderland noted that the transitional sliding flow of a high definition reader board was preferable to the red, flashing message center type of reader board. Commissioner Jennings advocated provisions for electronic reader boards, as they are here to stay. Sunderland noted that there are proposed limitations in their recommendations regarding brightness, duration of message, when the reader board is to be shut off, etc.

In the Downtown Development Conservation Zone, the proposed changes allow the same percentage of wall signs, and treat all the walls the same as in the existing ordinance. The proposal increases the monument size in the downtown area. The window coverage area stays the same.

In the residential zone, flags, temporary signs, window signs, wall signs and banner signs are all allowed. Electronic reader boards would be allowed to increase to 65%, rather than the present 50%.

Under the current regulations, many of the signs in the City are non-conforming. It is proposed that a sign permit for a conforming sign would *not* require that all non-conforming signs on the site be forced to upgrade into conformity. Chairperson Bandelow observed that keeping costs down would encourage upgrades.

The differences between Type II and Type III variances were discussed. A Type II is quasi-administrative process, where the Department of Economic and Development Services reviews the Type II variance, and then sends out notice to surrounding property owners within 250 feet of the sign, giving them an opportunity to request a public hearing before the City Council. A Type III involves more discretion, and goes before the Planning Commission.

Electronic reader board sign recommendations combines signage and allow an increased size in the CZ. It establishes a hold time of 8 seconds, during which time it must hold still, rather than the present 1 second. It allows reader boards in residential areas, and increases the present size allowance from changeable copy signs of 50% to electronic reader boards of 65%.

Commissioner Hutchison asked about the freeway expansion by the interchange, and whether modification and expansion would cause non-conforming signs to be affected, or

would they be grandfathered in? Hendryx replied that new signs must be in conformity, and that old signs would be considered on a case-by-case basis. If the owner changed one non-conforming sign, all signs might have to come into conformance. If the modifications done do not impact the signs, it's possible that the signs could remain as they are.

In a total remodel situation, all new signs will have to conform. If the modification is less than 1,000 square feet, the proposal states that all signs would not have to come into conformance, unless a sign is affected. If the modification is over 1,000 square feet, however, all signs must come into conformance, even if it's a pole sign, unless the modification stays in the same foundation footprint. Commissioner Jennings expressed concern about the various rules in both the present and proposed sign ordinances that might trigger new sign conditions, causing further expense to the business owner.

The Sign Focus Group spent a lot of time during the last year viewing and discussing pole signs and possible options. The group recommended that pole signs be permitted in the Overlay District, which is the area that borders 214 and I-5. Freeway signage is important for the passing public. Under the state program, a certain number of freeway signs are allowed. These signs fall into the area of:

- Tourist attractions (1 sign)
- Accommodations (1 sign)
- Retail (food and gasoline) (2 signs)

ODOT sells slots yearly to various vendors, who pay approximately \$1400 a year for the privilege of advertising on these signs facing every aspect of the freeway ramp. In Woodburn there are more businesses than there are signs and space, so there's a waiting list.

Commissioner Hutchison noted that Woodburn wants to show what sort of town it is by the type of signage displayed. Since this town has evolved beyond just gas and fast food, the signs should reflect that.

Under the proposal, pole signs would be 45 feet high, with a signage size of 200 square feet in the CG Overlay Zone. Combined signage would be allowed on larger sites such as the Company Stores.

The idea of amortization (a length of time for all City signs to come into compliance) was discussed by the Sign Focus Group. The consensus was that amortization should not be attempted.

Stuart stated that state ODOT rules under the Highway Beautification Act are primarily for billboards, and not related directly to any individual business. Chairperson Bandelow noted it was thought that the City would have to buy all the signs, which was not considered affordable. However, this was not accurate. Commissioner Jennings is against amortization, due to the prohibitive cost of being sued, should that eventuality arise. Chairperson Bandelow felt a more moderate approach should be considered, not inviting lawsuits, certainly, but at the same time being willing to enforce ordinances.

Although amortization is not as negative an issue as was previously thought, there are still legal issues to be considered. Commissioner Jennings noted that some signs are automatically identified with particular businesses, such as McDonalds. If a sign is non-conforming, yet is an integral part of a business, amortization would be detrimental.

Chairperson Bandelow felt that incentives to come into sign compliance should be considered. Making it easier for businesses to pursue sign conformance, perhaps by assisting with the costs, would make it more likely to occur.

Other proposals by the Sign Focus Group include:

- Tables in the WDO, rather than just verbiage
- Content natural based text language
- The text is simplified.
- Fuel price signs
- A frame signs- subject to permitting, which is not required currently
- Temporary signs with the ROW at Senior Estates
- Type II would now be Type I

It was noted that A-frame signs, properly made and used, are a great asset. They can be an important advertising tool. They need to be weather-resistant, according to the WDO.

The Sign Focus Group is still working on a sign identification program, and the belief that education is vital. Handouts could be given to businesses when they apply to get a business license or renewal.

There are a number of abandoned signs in the City. There's no notification program at present, but this is being discussed by the group.

Hendryx stated that the Sign Focus Group, which is made up from businesspeople in the community, has done a wonderful job over the past year.

The Planning Commission is due to have another workshop in two weeks, on April 22<sup>nd</sup>. . Public hearings start on May 13<sup>th</sup>. City Council will hold their public hearing on June 28<sup>th</sup>. By statute, we are required to give advance notice to state Department of Land Conservation Commission, and we have provided this schedule. If more time needs to be scheduled for discussion, it can be done.

Hendryx and Dolenc have created a template for signs that is different from WDO, and that was handed out to the Commission members.

Commissioner Jennings requested discussion about the number of flags proposed by Focus Group. Two flags would be allowed in both commercial and residential areas, but three would be prohibited, even on one pole, and Commissioner Jennings objected to that part of the proposal. The flags are content neutral, and the issue for the group has been predominately commercial advertising. Commissioner Jennings would like private residences to be exempted. Chairperson Bandelow would like the description of "flag" to

be more clearly defined in the WDO, including shape, size, percentage of pole used, and how they're hung. Stuart suggested that the ordinance could be written to exclude the residential zone from the proposed flag limitations.

Chairperson Bandelow brought up the idea that signs might benefit from having color coded stickers that would give information about the sign, such as age and conformity. Old, cluttered or worn-out signs harm all businesses, and offensive signs shouldn't be grandfathered in. New businesses coming in to Woodburn should be given clear direction on how to be in compliance. Chairperson Bandelow further feels there needs to be a strong plan for enforcement, or all the work that has been done will be for naught. In the past, people were not told that just calling in a complaint was not enough. A complaint must be addressed in writing. Commissioner Jennings agreed, and said something needs to be written into the WDO to address that issue. Stuart noted that the WDO is a planning document, primarily focused on the future and new development, and is especially useful for giving direction when new businesses come into Woodburn.

As for enforcement, Stuart reported that the WDO itself gives authority to enforce the WDO. It gives the City Attorney, after confirmation from the City Council, authority to file suit against an offender, as well as giving the authorization to take lesser action, such as issuing tickets, for civil infractions. Ordinance 1998, the general civil infraction ordinance, lists classifications of violations.

Terri Sunderland stated that she hopes the proposed changes will enhance businesses and the community as a whole. She's proud of the changes, and feels that signs will be easier to read.

Mike Sumner noted that sign readability is a huge issue that was discussed by the group. He would like to exempt the American flag as an issue in regards to the flag ordinance. Under the previous codes, there was no incentive to change and update signs, but the proposed changes will make a distinct difference.

Commissioner Jennings gave thanks to the Sign Focus Group for all their work.

It was decided that the Planning Commission would further discuss the proposed changes, section by section, during the upcoming workshop on April 22<sup>nd</sup> and incorporate the changes into the text before the public hearings begin in May.

Jim Hendryx pointed out that the Sign Focus Group compared six towns of varying sizes and compared their sign codes with Woodburn's codes. Feedback in the past has been that Woodburn's sign codes are too restrictive, and that was taken into account, as the proposal adjusted some of the sign restrictions to reflect other community codes.

It was decided that the members of the Planning Commission would go over the proposed sign changes and discuss the changes further at their next workshop on April 22<sup>nd</sup>.

**ADJOURNMENT**

Commissioner Jennings moved to adjourn the meeting. Commissioner Grigorieff seconded the motion, which carried unanimously. The meeting was adjourned at 8:38 pm.

APPROVED  Apr 22, 2010  
Ellen Bandelow, CHAIRPERSON Date

ATTEST  04/27/2010  
James N.P. Hendryx  
Economic & Development Services Director  
City of Woodburn, Oregon

